

REMARKS/ARGUMENTS

Claims 1-31 are pending in this application. By this Amendment, claims 1, 15, 17 and 19-23 are amended and claims 26-31 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

A. The Office Action objects to claim 1 is for informalities. Applicants respectfully submit that the above amendments obviate the grounds for the objection. Withdrawal of the rejection to claim 1 is respectfully requested.

B. The Office Action rejects claims 1, 20, and 22 under 35 U.S.C. §112. Applicants respectfully submit that the above amendments obviate the grounds for the rejection. Withdrawal of the rejection to claims 1-10 under 35 U.S.C. §112 is respectfully requested.

C. The Office Action rejects claims 1-7 and 9-25 under 35 U.S.C. §102(e) over Fruensgaard et al. (U.S. Publication No. 2002/0052880) (hereinafter Fruensgaard). The rejection is respectfully traversed.

1) With respect to claim 1, Applicants respectfully submit that Fruensgaard fails to disclose every claimed feature as required under Section 102. For example, Fruensgaard fails to disclose at least features of individual user preference information of said user preference information, each of which is configured to be set differently depending on the user's registration, wherein the user registration includes a time and place of the user, wherein the individual user preference information is located as a sub-tree of the user preference information, wherein each of the individual user preference information contains attributes of

items beings searched and a corresponding preference value of the user for each of the attributes and combinations thereof as recited in claim 1. In an embodiment of the present invention, user preference information (e.g., 130) can include a plurality of individual user preference information (e.g., 130(1), ..., 130(n)) that each can include user preference item (e.g., 130(1)-1), user preference/non-preference (e.g., 130(1)-2) and description (e.g., 130(1)-3). Thus, a single user may set first individual user preference information to a family movie in a living room of their house but may set second individual user preference information to a movie that is not allowed for minors their private room of the house. Thus, embodiments of the present invention can set a different user preference value for the same item in each of a plurality of hierarchical user preference information. For example, the different hierarchical user preference information can be set for a single item based on a time and/or place of the user. See Figures 2-4 of the present application.

The Office Action asserts that context representation for one or more users (page 2, paragraph 27 in Fruensgaard) identifies each user and discloses one or more individual user preference, each of which can be set differently depending on the user's situations such as a different location (page 3, paragraph 56 of Fruensgaard). Applicants respectfully submit that context representation in Fruensgaard includes all aspects of a collection of information sources and describe relations of/with/and between people, information, and information etc. However, Applicants respectfully submit that Fruensgaard does not disclose a plurality of context representations for a user, let alone features of two or more individual user preference

information of said user preference information, each of which is configured to be set differently depending on a time and place of the user and combinations thereof as recited in claim 1.

Applicants respectfully submit that Fruensgaard discloses methods and apparatus that focus on the continuation of a search process instead of starting again. Choices made by the user lead to other results, and the user can continuously select choices and information he finds interesting to gradually build a library of references or information of personal interest (e.g., a user virtual room). Thus, Applicants respectfully submit Fruensgaard discloses a single continuous user preference that would result in the same search results from the same database when searching a multimedia or information sources. See Figures 2a-4 of Fruensgaard.

Thus, Applicants respectfully submit that Fruensgaard teaches away from establishing a plurality of individual user preference information for each user and combinations thereof as recited in claim 1. Applicant further respectfully submits that Fruensgaard does not teach or suggest any modification to its disclosure that would result in at least features of two or more individual user preference information of said user preference information and combinations thereof as variously recited in independent claim 1.

2) With respect to claim 15, Applicants respectfully submit that Fruensgaard in paragraph 132 discloses results of a search can be presented in various ways. In contrast, claim 15 recites wherein said each individual user preference information can be differently set depending on said user's terminal device and combinations thereof.

3) With respect to claim 19, Applicants respectfully submit that Fruensgaard discloses a hierarchy of topics or objects. See paragraphs 196-208 of Fruensgaard. In contrast, claim 19 recites a plurality of individual user preference information of the hierarchical tree structure and combinations thereof.

4) With respect to claim 20, Applicants respectfully submit that Fruensgaard does not teach or suggest at least features of wherein at least two of the multiple multi-level hierarchical structure of individual user preference information have different preference/non-preference information for the same single preference item for the same user and combinations thereof.

For at least the reasons set forth above, Applicant respectfully submits that independent claims 1 and 20 define patentable subject matter. Claim 22 defines patentable subject matter for at least reasons similar to claim 1. Claims 2-7 and 9-19, 21 and 23-25 depend from claim 1, 20 and 22, respectively, and therefore also define patentable subject matter for at least that reason as well as their additionally recited features. Withdrawal of the rejection of claims 1-7 and 9-25 under §102 is respectfully requested.

D. The Office Action rejects claim 8 under 35 U.S.C. §103(a) over Fruensgaard in view of Rubert (U.S. Patent No. 6,366,915 B1). The rejection is respectfully traversed.

As described above, claim 1 defines patentable subject matter over Fruensgaard. Applicant respectfully submits that Rubert does not teach or suggest at least features of individual user preference information of said user preference information, each of which is

configured to be set differently depending on the user's registration, wherein the user registration includes a time and place of the user and the combinations thereof as recited in independent claim 1. Thus, Applicant respectfully submits that Fruensgaard and Rubert, individually or in combination, do not teach or suggest at least features of individual user preference information and combinations thereof as recited in independent claim 1.

For at least the reasons set forth above, Applicant respectfully submits that independent claim 1 defines patentable subject matter. Claim 8 depends from claim 1, and therefore also define patentable subject matter for at least that reason as well as its additionally recited features. Withdrawal of the rejection of claim 8 under §103 is respectfully requested.

E. Claims 26-31 are newly added by this Amendment and believed to be in condition for allowance.

F. Information Disclosure Statements. Applicants respectfully request consideration of the Information Disclosure Statements filed on October 20, 2003 and February 12, 2004. Copies of the PTO-1449 forms are attached for the Examiner's convenience.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carl R. Wesolowski, at the telephone number listed below.

Serial No. 09/666,280
Reply to Office Action of October 6, 2003

Docket No. P-0127

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



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Encs: Petition for Extension of Time
PTO-1449 form filed with 10/20/03 IDS
PTO-1449 form filed with 2/12/04 IDS

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